

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)
EIA: 12/12/20/944

**FOR THE PROPOSED ESKOM NUCLEAR POWER STATION AND
ASSOCIATED INFRASTRUCTURE**

DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORT

KEY FOCUS GROUP MEETING

GAMTKWA KHOISAN COUNCIL

27 AUGUST 2010

11H00 – 13H00

PREFACE

The draft minutes were distributed to meeting participants, who were given 14 days to comment on them. These minutes are the final minutes of the meeting and include comments received.

In order to provide a structure and to enable the reader to follow the proceedings with ease the minutes have not been captured verbatim and post-meeting notes have been added for clarity and information purposes and are indicated in **bold**.

1. ATTENDANCE

1.1. Attendance – Invited Stakeholders

Gamtkwa Khoisan Council
Cllr !Krotoa Cynthia August
Dr N.E. Swarts
Mr. Kobus Reichert
Chief Ronald Booyesen
Mrs. Hettie Booyesen
Observers
Ms Trudi Malan
Mr. Chris Barratt

1.2 Attendance – Applicant - Eskom Holdings Limited

Name	Position/ Role in the project
Ms Deidre Herbst	Senior Manager - Environment Generation Division
Mr. Mervin Theron	Manager - Regulatory and Localisation
Ms Lorraine Ndala	Senior Environmental Advisor – Generation Environmental Management

1.3 Attendance – Golder and Associates – Public Participation Practitioner

Name	Role in the project
Ms Antoinette Pietersen	Facilitator

1.4 Attendance – Arcus GIBB (Pty) Ltd - Independent Environmental Consultants

Name	Role in the project
Ms Jaana-Maria Ball	Nuclear-1 EIA: Project Manager
Ms Inge Schovell	Environmental Scientist

1.5 Attendance – UCT Archaeology Contracts Office - Archaeology Specialist

Name	Role in the project
Mr. Tim Hart	Heritage Specialist

1.6 Attendance – South African Heritage Resources Agency – Heritage Authority

Name	Role in the project
Ms Mariagrazia Galimberti	APM Assessor

2. WELCOME AND INTRODUCTIONS

Ms Antoinette Pietersen introduced herself as the Facilitator for this particular Key Focus Group Meeting. She then continued by asking Aunty Hettie Booysen to open the meeting up with prayer. Ms Pietersen welcomed everyone to the meeting and asked them to one by one introduce themselves to the group. Introductions were done as per Sections 1.1 to 1.5.

3. FORMAT OF MEETING AND DISCUSSION POINTS

Before the meeting was started, Ms Pietersen listed the objectives of the meeting namely:

1. To present the findings and recommendations of the Heritage Impact Assessment as it is in the Environmental Impact Assessment Report.
2. To listen to and get a better understanding of the issues and concerns of the Gamtkwa Khoisan Council as well as get suggestions for enhancing or updating the heritage specialist report.

She further stated that in view of the objectives and because she is an independent facilitator that this meeting should be focused on the objectives. Ms Pietersen then mentioned the following guidelines to be adhered to during the meeting:

1. One person should speak at a time.
2. Only one question should be asked at a time.
3. All communication should be directed through her.
4. Everyone is to show respect toward one another.
5. Do not be personal and focus on the issue at hand.
6. Keep questions within the purpose of the meeting and any other questions outside of this meeting will be parked and dealt with afterward by Arcus GIBB.

Ms Pietersen then made everyone aware that the meeting would be digitally recorded and that Ms Schovell will be taking minutes. She asked when the minutes will be available. Ms Schovell stated that the draft minutes should be completed by 30 August 2010 for review by Ms Ball who said that the final minutes would then be made available within that week for comment by the meeting attendees. The comment period for the minutes will be 14-days. Post-meeting note: **The presentation delivered at the meeting is attached to the minutes and both the minutes and presentation will be posted on the Nuclear-1 EIA website (www.eskom.co.za).**

Ms Pietersen requested all attendees to sign the attendance register and they were also asked if there were any other matters that they would like to add onto the agenda. There were no additions made. Ms Ball made it clear that it was more important to hear from the Gamtkwa Khoisan Council than to have a long presentation to which Mr. Reichert replied and said that point 4 on the agenda would give them sufficient time to voice their concerns.

Finally Mrs. Pietersen stated that the members of the meeting were more than welcome to ask their questions in Afrikaans and that she is willing to translate if need be. She then handed over to Mr. Tim Hart to do the Heritage Presentation.

4. DISCUSSION SESSION

This section details all issues, comments and concerns, which were raised and discussed at the meeting. The draft minutes were distributed to meeting participants, who were given 14 days to comment on them. These minutes are the final minutes of the meeting and include comments received.

GAMTKWA KHOISAN COUNCIL			
No	Name	Comments	Response
1	Mr. Kobus Reichert	<p>He asked if Mr. Hart regards Thyspunt as a cultural landscape on its own and not just a case of several archaeological sites.</p> <p>He then asked that if the proposed site was located as far possible into the interior and if there were no cultural site (if there were nothing there at all) locate the identified area (because the final plan still not available), would the location of such a site have an impact on this cultural landscape without any mitigation being necessary?</p>	<p>Mr. Hart agreed that it is a cultural landscape, but a very complex one because it is multi-layered. It has many landscapes resting on top of each other over a long period that has been compressed into one. It is a landscape that represents the special living circumstances of the Khoi / San people over the last 5000 years. It also represents the settling pattern of the living stone age people. The landscape today is entirely different as the sea was in a different place and all of these are compressed into one. This is known as spatial archaeology but to some people it is known as heritage landscapes.</p> <p>Mr. Hart asked if it was alright to use another project as a means to answer the question. He said that in Elands Bay at Baboon Point, developers wanted to build houses and that this, within context of the Western Cape, is a prime archaeological site. The developer had then stated that the cultural landscape would not be affected because if one stands at the Elands Bay cave and looked out of it, that the development could only be seen slightly to one side.</p> <p>The two committees involved (Built Environment and Landscape [Belcom] and Archaeology, Palaeontology and Meteorite [APM]) reviewed the application separately. Belcom said that it would not have a significant impact whereas the APM committee found that the proposal would have a substantial impact on the general heritage and cultural landscape significance of the place which was upheld at</p>

GAMTKWA KHOISAN COUNCIL			
No	Name	Comments	Response
		Thyspunt is a most sensitive site in terms of archaeology and heritage. If Thyspunt is regarded as the least suitable site then when comparing it to other sites experienced, is it not a fact that it is more than another least preferred site in context of this application but actually one of the most sensitive sites in the country? This was directed to Mr. Hart.	<p>the MEC appeals hearing.</p> <p>Their reason was the way people perceive the significance of the Archaeology is experienced through the sense of place around the site even if no impacts are caused.</p> <p>Post-meeting note by M. Galimberti, SAHRA: A visual impact is always an impact.</p> <p>His final answer was therefore that the landscape could be regarded as a cultural landscape.</p> <p>Post-meeting note: The judgment in the Baboon Point case found that “there was little to no evidence that the economic development of the site outweighs the archaeological, cultural and historical significance of the proclaimed Provincial Heritage Site.” Every site needs to be assessed on its own merits and the merits of the proposed development. In the instance of Thyspunt, the site is not declared as a provincial heritage site. The nature of the proposed development at Thyspunt is different in nature and is intended to be of benefit to the economic development of the country as a whole.</p> <p>Additional post meeting note from M. Galimberti, SAHRA: It is true that the two types of developments at Baboon Point and Thyspunt are very different and the economic benefit for the country as a whole would be different, but it is also true that, if the economic development enhances the country as a whole, then it wouldn't really matter where the NPS will be built as the advantage would still be for the entire country and not only for the Eastern Cape.</p> <p>Mr. Hart stated that it was a very sensitive site.</p>
2	Councillor !KrotOa	Mrs. August stated that her expectation of the meeting	Ms Ball explained that as the environmental practitioners they have

GAMTKWA KHOISAN COUNCIL			
No	Name	Comments	Response
	Cynthia August	was that everyone would come into an agreement that Thyspunt is a no-go area. She also said that they (the Khoi Khoi and San) are very sensitive about their heritage and are tired of being trampled on by people to get what they want. If the reason for this meeting is to get them to agree to the development then they are at the wrong 'table'.	to consider all the specialist studies as well as the viewpoints of all stakeholders including the Gamtkwa Khoisan Council. Arcus GIBB has issued the Draft EIR and given everyone time to review it and comment on it. Additionally many public meetings were also held and presently more focus group meetings are in progress on issues relating to each group. Therefore this meeting was called to gather the Gamtkwa Khoisan Councils' issues in this case mostly heritage and cultural, and take it back to the specialists for the necessary updating if need be. Therefore Arcus GIBB representatives are there to find out where the report is lacking or on which points the Council disagrees to Arcus GIBB are in the process of getting a number of reports revised such as the marine report, so it includes more information on the chokka industry, and a number of others. It was then stated that a revised Draft Environmental Report will be issued for comment.
3	Dr N.E. Swarts	<p>In terms of the various stakeholders, how important is the heritage value in the project? Regarding the process of evaluating all different aspects in the EIA how important is the heritage value in the context of the bigger scheme of things and considerations to the project?</p> <p>If an equal rating is given for example in terms of vegetation. Looking specifically at a particular geographical area, if one moves 1 km away from it you may find the same vegetation type. But when looking at what is happening at Thyspunt it cannot be replicated at all. So therefore to him weighting in terms of heritage is not important at all.</p>	<p>Ms Ball stated that in the evaluation methods in the draft EIR the potential impacts with the same rating across all sites were looked at and scoped out. Together with specialists, a range of criteria which were thought to be the most important were looked at. Numerical numbers were then assigned to these and each site was then assessed using these ratings. As far as Ms Ball could remember, the heritage ranking was similar across all the sites and was scoped out at that eventual ranking. It is a complicated process that is being reviewed together with two EIA process reviewers.</p> <p>Ms Ball explained that she was referring to the relative weighting scored against other studies. Additionally she also stated that from a botanical perspective it could be argued that vegetation can change over a small space of time and thus all these disciplines have their own complexities.</p>
4	Mr. Kobus Reichert	He said that the points raised by them are very clear. Thyspunt is a cultural landscape, a non renewable heritage resource and one of the most sensitive sites	Mr. Hart said that when writing the report, especially and if one wants to issue a no-go, then one has to be absolutely sure of the facts and be able to justify it. The only issue (where confidence

GAMTKWA KHOISAN COUNCIL			
No	Name	Comments	Response
		<p>in South Africa. It has to be preserved for South Africa's future. Why is something being discussed that should have been scoped out of the process a long time ago? This is an area that should have been declared a National Cultural Heritage Site.</p> <p>Turning it into an industrial zone is unacceptable. Why work through their submissions when everyone present should know that it is impossible to put a nuclear station at an area as sensitive as this. The development 7 km from Mapungubwe still had an impact on the heritage of the area. He appreciates the information provided by Mr. Hart but says he disagrees with the point that mitigation is even an option at Thyspunt. Mitigation will have no advantage to this community at all. Even if the facts are presented correctly, the conclusions are wrong.</p> <p>Mr. Reichert said that he understood that middle area could be seen as a window of opportunity but in the context of a cultural landscape it cannot be. The site identified in terms of the Heritage Impact Assessment possibly only represents 10% of what might be out there. So looking at this area which is possibly over 5000 years old if one could see beneath it then maybe there would not be a window of opportunity.</p>	<p>levels were low) is the lack of archaeological sites in the middle zone. The report however was brought as close as possible to a no-go but room was left for discussion as well.</p> <p>Mrs. Pietersen then asked if anything was done to have the area declared as National Cultural Heritage Site to which Mr. Reichert replied no because they expected the responsible property owner to do it. They do not believe that Eskom has looked at various options. He says that it is a white elephant because there are no development opportunities and therefore are unable to sell that land ever since 1980s. Eskom has disregarded the Khoi San heritage for many years.</p>
5	Ms Trudi Malan	She asked if she understood correctly that a no-go was not given because of the piece of land in the middle and if in fact does this means that they gave the developer the benefit of the doubt?	Dr. Hart stated that the level of confidence that was put into the report was low and did not give the benefit of the doubt to the developer. What he did was warn the developer that this was going to be a very difficult situation to resolve. And if given more time to spend on that piece of land, they will know more about it.
6	Dr N.E. Swarts	Where are the 5 main site located? It is interesting that they are all in the Western Cape. Why have the other parts of South Africa not been considered such	There are 2 in the Northern Cape, 1 at Thyspunt, 1 close to Koeberg and the last one is near Pearly Beach near Hermanus. Ms. Ball said that they started the EIA with the 5 sites. The Nuclear Investigative

GAMTKWA KHOISAN COUNCIL			
No	Name	Comments	Response
		<p>as KZN and Limpopo?</p> <p>He further asked whether these other sites (mentioned by Ms Herbst) from former homelands that were previously excluded will be re-looked at.</p>	<p>programme that was undertaken in the early 1980's by UCT concluded that these sites are suitable for nuclear power and therefore these sites were used.</p> <p>Ms Herbst said that the Nuclear Site Investigative Programme basically looked at the entire coast only excluding a few areas. If South Africa goes into the Nuclear programme pending the Integrated Resource Plan (IRP) approval by Government they will look at a lot more sites. Then Eskom will go through a process of looking at areas in addition to the previous sites identified.</p> <p>Ms Herbst said that the sites which were previously excluded will be looked at in the next round of the siting program.</p> <p>Mrs. Pietersen asked Dr Swarts if his concern revolved around the alternatives. He said it did not but that he was concerned about the fact that this new scoping that will be done will be on core apartheid sites and as it was pointed out these site will be re-looked at when something new happens.</p>
7	Mr. Chris Barratt	<p>For the sake of record on the above facts it was the previous so called independent homelands and 100 km from those borders that were excluded. So in actual fact it is over a third of the coastline of South Africa.</p>	<p>Mr. Theron stated that when those sites were selected a number of studies were done to collect data which was presented to the EIA consultant to verify. This was then reviewed by the various EIA specialists to find out if the data was still relevant to the current situation and the information received from the EIA specialist was that it was still relevant. Based on the assessment of that data, 5 sites were taken through the process. If another process is started it could take up to 5 – 6 years.</p> <p>Ms Malan disagreed with the above response saying that there have been many seismic investigations that were done. She stated that Eskom is hiding behind the 5 – 6 year issue. She said that in Dr Binneman's report he stated that Thyspunt should not be touched and now she is concerned that the independent consultants are advising Eskom that the sites are still suitable after they went</p>

GAMTKWA KHOISAN COUNCIL			
No	Name	Comments	Response
			<p>through the original Nuclear Site Investigation Programme.</p> <p>She, together with other environmental consultants, looked at the original report and the only thing that was done in the original investigations was the meteorological investigation and very little environmental studies. There were site descriptions but no impacts were assessed at all. If the sites were selected only today, Thyspunt would have never made the environmental grade.</p> <p>She went on to say that instead they are sitting with a site that the government selected showing little concern to the people of the country and we must just make do with it. Eskom is now trying to fit the land to suit them and from a heritage perspective this should not be allowed to go forward.</p>
8	Councillor !KrotŌa Cynthia August	Councillor August agreed with Ms Malan. If the government does not acknowledge them then nothing has happened for the Khoisan community. If it is found out via Eskom that what she is thinking is true then they have 'another thing' coming. She asked that the so-called 5 – 6 year card stops being played. She also stated that if that area is spoilt it will be irreparable.	This point was noted.
9	Mr. Kobus Reichert	<p>The South African government spent millions of rand to develop the gravesite (of Sarah Baartman) which is currently a National Heritage Site.</p> <p>They did various assessments and the proposed developments that will happen there went did not go through site sensitivity analysis and there was no process of conserving the environment surrounding the grave to bring it into context with the spiritual aspect of the Khoisan legacy.</p> <p>He further asked why the South African government would spend so much money to honour the legacy of</p>	Mrs. Pietersen asked if Mr. Reichert felt a cost analysis should be done in terms of the price to develop a nuclear power station and the cost of actually preserving the heritage of the area. He said that there is no price that can be attached to something so sensitive.

GAMTKWA KHOISAN COUNCIL			
No	Name	Comments	Response
		<p>Sarah Baartman and then a few meters away decide to put up a nuclear power station on top of her heritage. It makes no sense.</p> <p>He also stated that if that is what happens then everything that was proposed at the Sarah Baartman meetings was all talk and that the Khoisan heritage are not really going to be considered when it comes to developments.</p> <p>To build an appropriate storage facility for the archaeology that must be removed from the cost will be very high. Together with these costs that will run into millions, more budget will be needed to do the mitigation works which will also take a long time. When adding all the figures, would it not be more feasible to find a more suitable site that will have fewer impacts on the environment and fewer impacts on the heritage resulting in less budget being needed. The remaining budget can then be used for something else.</p> <p>We see mitigation at Thyspunt as destruction. We agree that everyone is professional but we insist on the Khoisan legacy being maintained. A portion cannot be separated from the rest or we would have lost the only site of this nature that could have been used for future generations. Mitigation at this site would be like tearing pages out of a book, and then giving these pages to people telling them that this is the book.</p>	
10	Ms Trudi Malan	She stated that the archaeological cost was not included into the Economic Impact Assessment and requested that it is.	Her request was noted.
11	Mr. Kobus Reichert	What process will take place with regards to the Heritage Impact Assessment (HIA) sent out because	Ms Galimberti stated that SAHRA completely apposes to the development on this site. They prefer the sites in the Northern Cape

GAMTKWA KHOISAN COUNCIL			
No	Name	Comments	Response
		<p>most people do not understand the process involved and SAHRA's position regarding the HIA etc</p> <p>If Eskom wants to challenge SAHRA's decision what steps would they have to follow to do so?</p> <p>Taking SAHRA's decision into account, how does it affect the process with regards to the next draft that needs to be published?</p> <p>Can we be provided with SAHRA's comments in the meantime?</p> <p>He said he understands that SAHRA is one of the consenting authorities. How much weight can be put on their decision? As an example if 7 of 14 consenting authorities said no to the development would Arcus GIBB sue?</p>	<p>being used. They are presently waiting for the amendment of the EIA but their position on the matter has not changed since. She could not comment on the 2 sites in the Western Cape as Heritage: Western Cape will be commenting on them.</p> <p>Ms Galimberti said that the consultants will then have to do another assessment for them to review again.</p> <p>Ms Ball said that all comments, not only SAHRA's, are being reviewed. Certain specialist studies are also being reviewed of which some are complete and others are still in process. Arcus GIBB will revise the EIR once the revised studies are all received.</p> <p>She replied yes, but asked that they please note that all comments including SAHRA's will be included in the Revised Draft EIR.</p> <p>Ms Ball said that from an Arcus GIBB perspective the issues raised is what is looked at. This process is not a vote or tick box case. After reviewing the issues raised and the technical studies an assessment is done and a recommendation made to government. Government then gets other departments to comment on the report which will assist them in making a decision. It is not Arcus GIBB and neither Eskom's decision to make but rather the Department of Environmental Affairs.</p>
12	Dr N.E. Swarts	The ANC government must realise that it is a government by the people for the people and that if they ignore this community and their heritage the people will not forget it. They are truly concerned.	The comment was noted.
13	Mr. Kobus Reichert	He really appreciates the fact that they were invited to attend this focus group meeting since they have been asking for one for a very long time but were virtually ignored. However, because this may have a severe effect on the National status (a status in the HIA) it	Ms Ball asked if he could elaborate on the fact that they had been requesting for a key focus group meeting for while.

GAMTKWA KHOISAN COUNCIL			
No	Name	Comments	Response
		<p>has an overall effect on a national level on all KhoiKhoi and San people of South Africa. So it is good that they have been consulted with but the National Khoisan Council as well as the National Khoisan Facilitating Agency must also be consulted with as they are not aware of the development.</p> <p>He said that he had asked in his previous correspondence to be registered as a key stakeholder but that that request was ignored. When this was specifically objected to Ms Bongi Shinga informed him that this was an oversight that they were not identified as key stakeholders.</p> <p>Mr. Reichert however said that it was an informal meeting at which no minutes were taken and that that did not mean that they were then registered as key stakeholders of the project.</p>	<p>Ms Ball said she will go back and ask ACER for all records to see what exactly happened.</p> <p>Post-meeting note: The importance of the N.K.C and N.K.C.F.A is not disputed and as such consultation has taken place as part of the formal Environmental Impact Assessment process.</p> <p>According to ACER records, information on the project has continuously been sent to Mr. Kobus Reichert of Gamtkwa Khoisan Council since June 2007, i.e. from the early stages of Nuclear 1 EIA and/or project announcement. There are various levels of consultation that take place in an EIA process. The Public Participation Process creates various channels through which stakeholders can participate. During the EIA process, Interested and affected Parties could contribute issues either in writing by completing and returning comment sheets, or by attending meetings (Public meetings/focus group meetings/stakeholder meetings), or submissions of information at any stage of the process.</p> <p>Mr. Reichert has represented and submitted comments on behalf of the Khoisan Community during the Scoping Phase as well as during the Impact Assessment Phase. In addition, various project correspondence has been sent to Mr. Reichert as per table below.</p>

GAMTKWA KHOISAN COUNCIL																											
No	Name	Comments	Response																								
		<p>Mr. Reichert said that the perception they got was that the key stakeholders identified were people with money.</p> <p>There are many other people with whom they communicated that did not know about the situation but should have been consulted. These included Yvette Abrahams and Dianne Ferris.</p>	<table border="1"> <thead> <tr> <th>ID</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>L02E</td> <td>Acknowledgement of Comments Received June 07</td> </tr> <tr> <td>L04E</td> <td>Letter 04 Scoping Extension 26 July 2010</td> </tr> <tr> <td>L05E</td> <td>DSR Availability Letter – 28 Jan 08</td> </tr> <tr> <td>L08E</td> <td>DSR Comment period extension – 14 Mar 08</td> </tr> <tr> <td>L11E</td> <td>Final Scoping Report Availability – 4 Aug 08</td> </tr> <tr> <td>L12E</td> <td>Project Updated Letter 22 Jan 08</td> </tr> <tr> <td>L13E</td> <td>Letter 13 Revised POS for EIA 18 May 09</td> </tr> <tr> <td>L14E</td> <td>Draft EIR Availability 3 Mar 10</td> </tr> <tr> <td>L15E</td> <td>Invitation to Key Stakeholder Feedback Meeting 03 Mar 10</td> </tr> <tr> <td>L17E</td> <td>DEIR Comment Period Extension 06 May 10</td> </tr> <tr> <td>L23E</td> <td>DEIR Further Comment Period Extension 27 May 10</td> </tr> </tbody> </table> <p>Ms Herbst mentioned that the group from the Council was personally invited to attend a site visit in September 2008. Ms Herbst then explained that what she was saying is that she did not think that they were being ignored, but his concerns will be looked into and addressed.</p> <p>Ms Ball explained that as the EIA process proceeds Arcus GIBB recognise who the stakeholders are and yes maybe there was an oversight but as soon as the Gamtkwa Community was recognized, they were invited to all stakeholder meetings as they were in the case of the last one.</p> <p>Ms Ball disagreed and added that any omission was not intentional. Ms Ball said they cannot guarantee who attends meetings, she</p>	ID	Description	L02E	Acknowledgement of Comments Received June 07	L04E	Letter 04 Scoping Extension 26 July 2010	L05E	DSR Availability Letter – 28 Jan 08	L08E	DSR Comment period extension – 14 Mar 08	L11E	Final Scoping Report Availability – 4 Aug 08	L12E	Project Updated Letter 22 Jan 08	L13E	Letter 13 Revised POS for EIA 18 May 09	L14E	Draft EIR Availability 3 Mar 10	L15E	Invitation to Key Stakeholder Feedback Meeting 03 Mar 10	L17E	DEIR Comment Period Extension 06 May 10	L23E	DEIR Further Comment Period Extension 27 May 10
ID	Description																										
L02E	Acknowledgement of Comments Received June 07																										
L04E	Letter 04 Scoping Extension 26 July 2010																										
L05E	DSR Availability Letter – 28 Jan 08																										
L08E	DSR Comment period extension – 14 Mar 08																										
L11E	Final Scoping Report Availability – 4 Aug 08																										
L12E	Project Updated Letter 22 Jan 08																										
L13E	Letter 13 Revised POS for EIA 18 May 09																										
L14E	Draft EIR Availability 3 Mar 10																										
L15E	Invitation to Key Stakeholder Feedback Meeting 03 Mar 10																										
L17E	DEIR Comment Period Extension 06 May 10																										
L23E	DEIR Further Comment Period Extension 27 May 10																										

GAMTKWA KHOISAN COUNCIL			
No	Name	Comments	Response
			notes his perception of the key stakeholder meetings, but he also had to recognise that GIBB called him and requested the meeting and thus do recognise the group as important. Through the EIA process when going through the issues theirs was red flagged.
14	Ms Trudi Malan	She asked what work is currently occurring on site, not from an EIA perspective.	<p>Ms Ball said that Eskom should reply to this question as she could not reply on any work outside of the EIA. Mr. Reichert said that an archaeologist was also on site on Monday or Tuesday (23 – 24 August 2010) and he is sure it was not Mr. Hart (Mr. Hart confirmed that it was not him). Therefore what is happening at Thyspunt?</p> <p>Ms Galimberti stated that there was an application for a transmission line EIA but Ms Malan said that that was not it. Ms Ball also said that GIBB is busy with another EIA (Kouga Windfarm EIA) for which the specialists are on site at present, but Ms Malan again stated it is not that as it was on the Thyspunt side. Ms Malan feels that there is work occurring at Thyspunt.</p> <p>Ms Herbst said that she spoke to Mr. Gert Greeff (Eskom Nuclear Estates Manager) in the morning to find out about their last objection on drilling and the heritage issues and what was agreed upon. He said he recently received a map on future drilling that they wanted to do and he was unhappy about some of the GPS co-ordinates and was asking for a proper map and indicated that before they are allowed to do anything on site he will be contacting SAHRA. So this discussion indicates that no work is going on at site but that it might be someone walking to get GPS coordinates for future drilling but no actual work is taking place.</p>
15	Mr. Kobus Reichert	Are we then at that point where Eskom will acknowledge that it was a mistake to proceed with drilling operations without supervision from an archaeological perspective?	<p>Ms Herbst said that they dealt with that by getting people on site and getting to know what the circumstance was and a meeting was held to discuss it and agree on a way forward.</p> <p>Ms Ball added onto the issue of various stakeholders not being identified (see comment under No. 13). She said that a process of advertisement is used widely, regionally and nationally as well as word of mouth through the key stakeholders. Thus if any of the</p>

GAMTKWA KHOISAN COUNCIL			
No	Name	Comments	Response
			<p>members of the Khoisan Council know of anyone who the EIA practitioners need to contact please let us know.</p> <p>Mr. Barratt said that they were not the only stakeholders left out, but that in fact there were numerous that were not contacted. He also felt that this was done deliberately. Ms Ball acknowledged his comments and reassured him that it was not done deliberately.</p> <p>Mr. Barratt then said that when most of the stakeholders are present at the first meeting and then not invited to the next one, it seems like it happened before. Mrs. Pietersen then asked if it were possible for Mr. Barratt to send to Ms Ball the names of the stakeholders that were not re-invited to the second meeting.</p> <p>Ms Ball responded by saying that when attending a key stakeholder meeting by just arriving it does not necessarily elevate you to a key stakeholder, but she would take the matter up with ACER and check all persons that attended previous workshops and see if they need to be flagged as stakeholders.</p> <p>Post-meeting Note: This task has been actioned by ACER. Gamtkwa Khoisan Council representatives (including representatives of National Khoisan Council and National Khoisan Conference Facilitating Agency provided by Mr. Reichert to ACER on 30 August 2010) have been categorised as Key Stakeholders on the database. Key Stakeholders on database are representatives who have a mandate to represent their constituencies or perspectives of their sectors and/or organisations.</p>
16	Mr. Kobus Reichert	Think their point has been made clear with regards to their position with this development and that their issues seriously need to be considered. In one of his previous comments referring to the UN Declaration of Indigenous Peoples Rights, he received a reply that that the land belongs to Eskom land and their	Comment noted.

GAMTKWA KHOISAN COUNCIL			
No	Name	Comments	Response
		comment will be taken into account. This is the comment we receive on very important statements that we make. There is no way that the government can disregard the UN Declaration because they signed that and now they must implement it. Even if the Government is bound to this, it does not release Eskom from their responsibilities in this regard. They must stay in contact in terms of the process of Khoisan Recognition South Africa. There have been giant strides that have been made with the recognition process of the traditional Khoisan community structures to put them on an equal level with other traditional structures in South Africa. Do not get to a point where you build the structure and then suddenly you have to stop the process because these people have legal rights, stronger rights than seen in the Heritage Act. The Heritage Legislation in South Africa is lacking in several aspects. There is a huge gap in the legislation when it comes to the protection of the indigenous people rights.	
19	Mr. Chris Barratt	<p>Did Dr Hart (the Archaeology Specialist) receive the full copy of the initial report done by Johan Binneman, because it is interesting how the specialist report did not contain half of the records found init?.</p> <p>He then asked if Dr Hart attended a 2 – 3 day meeting With specialists to determine weightings. He then asked what weighting Dr Hart gave to the area.</p> <p>However, the area was still given an overall very low rating or zero rating?</p>	<p>Dr Hart said that he did. Ms Ball said that the report was made available to the specialist. This was confirmed by Dr Hart.</p> <p>Dr Hart acknowledged that he was at the meeting and said that he could not remember the exact weighting he gave. He did however know that he gave them, not the highest rating, but a high one. The reason for this, regarding botany, was that they were looking at a resource that does not breed and replace itself. So it was thought that it deserves more.</p> <p>Dr Hart disagreed and said that actually some of his fellow specialist had given higher ratings for the area than he did.</p>
20	Mr. Chris Barratt	How long will this current process take before the new draft is out?	Ms Ball said that it is hoped to be out before the end of September

GAMTKWA KHOISAN COUNCIL			
No	Name	Comments	Response
			Post-meeting Note: Due to the significant number of comments received from the public, the changes to the specialist studies and peer review comments the document will only be available in October.

5. CLOSING REMARKS

Ms Ball announced that if any Key Stakeholder or Focus Group Meetings occur that the Gamakwa Khoisan Council will be informed. She also stated that GIBB and the specialist will go back and review and discuss with the specialists all comment made and then draw up a revised EIR.

Mrs. Pietersen thanked the Gamakwa Khoisan Council for their availability and hospitality as well as for taking part in a productive discussion. She summarised the meeting in the following points.

- There is an extremely strong sense of place as well as a strong need for preserving the cultural landscape and leaving a cultural and social legacy for future generations.
- The particular community would not even consider mitigation measures as it is part of a heritage site and that they would prefer that this site become a no-go area.
- They also want the National Khoisan Council and the National Khoisan Facilitating Agency to be consulted with as part of the EIA process.

She then confirmed that minutes were taken and that it will be sent to all present for comment. Ms Ball asked if they could comment within 14 days as this is the comment period for minutes. All agreed. The meeting was then adjourned by Ms Pietersen.